

## WHITTLESEY LEFT NOTE ON SURRENDER

German Demand That He  
Give Up Battalion Willed  
to Fellow Officer.

## CALDER ASKS ACTION

Senator Says Indifference  
of American People Caused  
Tragic Suicide.

## NEED COMMUNITY WORK

Care of Soldiers Should Be  
Duty of Those Near Home,  
He Says.

The written message from a German captain demanding the surrender of the Lost Battalion is bequeathed, in the will of Col. Charles W. Whittlesey, to his friend and fellow officer in that ordeal of the Argonne, Capt. George G. McMurtry of New York.

The will, executed November 22, leaves Col. Whittlesey's medal of the Legion of Honor of France to his executor and college classmate, John B. Pruyn, lawyer of 2 Rector street. The rest of the estate, including the Congressional Medal of Honor, goes to the mother, Mrs. Frank S. Whittlesey of Pittsfield, Mass. The will will not be filed for probate until next week, but THE NEW YORK HERALD was informed of its provisions yesterday.

The message from the German captain is written in good English. Not until now has the fact that Col. Whittlesey preserved it through all his war experiences and brought it back to this country been publicly known. It is the message to which, according to the story that went around the world, he returned the reply "Go to Hell!"

The fact is this newspaper was told last night by a man who was there that the message was delivered by an American soldier who had been taken prisoner by the Germans and who was sent back through the American lines blindfolded. He handed the paper to Col. (then Major) Whittlesey. Whittlesey upon reading it, ordered the soldier to return to his company and put the paper in his pocket. In other words, he sent no answer at all, but ignored the message.

Another newly reported fact is that members of Col. Whittlesey's command, going into Germany with the Army of Occupation, met there the German captain who had sent the surrender message. He told them that the German command was so irritated by the con-

tempt displayed by the Lost Battalion toward the order that it decided to wipe out all of Col. Whittlesey's men with liquid fire. The chemists were ordered brought up and were to have been showered on the ravine where the Lost Battalion lay on October 7, 1918. But as it happened that was the day when the American advance crashed through the forest, rescued the Lost Battalion and drove the Germans out of their own position.

The text of the German message never has been made public. In substance, it said that the cries of the American wounded could be heard within the German lines and demanded that the Americans surrender in the name of humanity.

Col. Whittlesey's will was found in a safe in the office of White & Case, 14 Wall street, the law firm with which he was associated. He dictated it and it was typewritten on one sheet of paper. Senator William L. Calder of New York, a member of the Senate committee which is investigating the charges that ex-service men have been neglected, said in Atlantic City last night that he hadn't a doubt that Col. Whittlesey's mind was unbalanced by the evidence of the country's thoughtlessness.

"There is no question in my mind that Col. Whittlesey's death was due to worry over the strange attitude of the American public toward the men who fought that this country might live," Senator Calder said. He said Col. Whittlesey's death should be a call to the human side of America.

"It is not the Government that is neglecting the ex-soldiers; it is the people," he went on. "Col. Whittlesey was a fine type of manhood. He felt for his fellow man and he felt particularly for the neglected men who had responded to the country's call and offered their all, even life itself. That the honor of the nation has been heaped on this type of men with whom he fought overseas quite overwhelmed him. It was a crushing blow to this human side of America."

"Col. Whittlesey's tragic death brings home to the country the fact that we are giving little thought to the men who saved the honor of the nation in the terrible world war. We have been wrestling with its economic side at Washington in our efforts to adjust the financial obligations that have come to us. We have appropriated vast sums to care for the sick and wounded, but somehow or other we have lost the human factor."

Senator Calder referred to the various classes of soldiers who need the attention of a grateful people but are made to feel as if they were objects of charity. The American people should go far out of their way for these men, he added. The cities and villages from which they enlisted should adopt them and the men should be made to feel that the American people are eager to be of service to them.

## WHITTLESEY 'RUNNER' SAILS FOR PALESTINE

Abraham Krotoshinsky, one of the runners of the "Lost Battalion," who carried a message through the German lines to American headquarters, sailed yesterday for Palestine on the steamship Themistocles from Brooklyn, as the guest of Mr. and Mrs. Nathan Straus. He will spend two months there and if he decides he would like to stay Mr. Straus will buy him a farm and equip it.

When Krotoshinsky was mustered out of the 307th Infantry, Mr. Straus made him his protégé and sent him to the National Farm School in Bucks County, Virginia. He was graduated recently and came to visit his brother Joseph at 1,705 Webster avenue, The Bronx. Krotoshinsky spoke with deep feeling of the late Col. Whittlesey. He said he had not been like himself the last time he saw him.

## IRISH ULTIMATUM CARRIED TO DUBLIN

Sinn Fein Delegates Leave  
London With Last Word  
of Premier.

## MUST REPLY BY SUNDAY

Ulster to Get Answer Before  
Time Limit Expires on  
Tuesday.

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New York Herald Bureau,  
London, Dec. 2.

Irish negotiations have been transferred to Dublin. Arthur Griffith and Michael Collins of the Sinn Fein delegation left here tonight with what is regarded officially as the last word by Mr. Lloyd George for some time unless the draft of the new terms are approved by the Dail Eireann without drastic reservations. This time the decision is fairly up to the Sinn Fein. The Prime Minister wants their reply by Sunday, so he can communicate with Premier Craig of Ulster, in order the decision is fairly up to the Sinn Fein. The Prime Minister wants their reply by Sunday, so he can communicate with Premier Craig of Ulster, in order the decision is fairly up to the Sinn Fein.

The week and should determine whether there will be a big step forward toward peace or a complete break down in the negotiations after five months of tedious labor. In official circles here there is decided pessimism.

The principal points of the new proposals were semi-officially reported to be:

1. The unity of Ireland, Ulster becoming a part of the proposed dominion for six months, after which time, but before twelve months have passed, she may withdraw, separating herself from the south and resuming her present status and with her own Parliament.
2. The naming of a boundary commission to delimit the religious and political frontiers of the counties of Tyrone and Fermanagh should Ulster elect to separate from the south.
3. The Sinn Fein to accept allegiance to the Crown as do the overseas dominions.

There are many pitfalls in this path to peace, an official of the Irish Office told THE NEW YORK HERALD correspondent today, but it is the last hope of dominions.

## PHILADELPHIA SPECIAL EXCURSIONS

Sundays, December 4, 18

3.00

Round Trip

Warfare

Tickets good only on

special train date

for which issued.

NEW JERSEY CENTRAL

## Irish Do Not Want War, Says Organ of Sinn Fein

DUBLIN, Dec. 2.—Commenting on discussions going on in the British press over the possibility of a renewal of warfare in Ireland, the Irish Bulletin, official organ of the Dail Eireann, says: "The people of Ireland don't want war and are not likely to be forced into war. If their liberties are attacked they will resist passively, and if passive resistance becomes impossible they will resist actively. But in either case they will not easily be compelled to surrender their right to freedom."

the present negotiations. There is immediately brought up the allegiance question, the British Cabinet insisting on a separate oath of allegiance by each member of the Irish Parliament, while the Sinn Fein offers only an oath of association with the Empire, to be taken by the Irish State alone. Unless an individual oath is given, Ulster is certain to object. It is further feared that Eamonn de Valera and the Dail Eireann will refuse to give up the demand for an all-Ireland Parliament, which Ulster has all along rejected.

Sinn Fein quarters are known not to take an optimistic view regarding the new proposals. But even with another failure, it is hoped the conversations will only be suspended temporarily, with the truce prolonged indefinitely while there is a semblance of a chance for a settlement, which is highly desired by the Sinn Fein.

LONDON, Dec. 2. (Associated Press).—According to the London Times's Parliamentary correspondent, the Government's new proposals concerning Ireland include that allegiance shall be sworn to the Irish Free State, to the commonwealth of nations known as the British Empire and to the King as the head of that community of nations. The correspondent adds the proposals will provide there shall be no endowments of religion and no religious tests in the appointment of public officers.

Ulster would have an autonomous financial administration, entire control of the northern civil service, collect revenue and customs in her own area and, after deducting the amount due itself on a population basis, hand over the balance to the Irish Free State.

A general election in Ireland would precede the establishment of the All-Ireland Parliament, but there would be no election in Ulster unless it was ordered by the Ulster Government.

## SEIZE, FREE, BIRTH CONTROL WITNESS

Continued from First Page.

prompted by the very best motives in the world—to wit, the full discharge of their duties. It may be that birth control is one of the greatest problems that needs attention, but that may not appeal to everybody."

The hearing in Police Headquarters yesterday was a continuation of the investigation into the circumstances surrounding the closing of the Town Hall meeting on Nov. 13 by Captain Thomas Donohoe of the West Forty-seventh street station.

Mrs. Sanger was the first witness and was questioned by Inspector Lahey about her arrest in 1915, when she held a clinic for the poor in Brownsville and was sentenced to the workhouse for thirty days. Among the questions asked by Inspector Lahey was whether the testimony given by Mrs. Whitehurst, the complaining police officer, to the effect that contraceptive devices were given out at that time was true or false. Mrs. Sanger stated in the presence of Mrs. Whitehurst that the testimony was false. Mrs. Rublee occupied the stand for only a few minutes and testified to having entertained Mrs. Sanger at dinner on the night of November 13 and later having driven her to the Town Hall, which she found closed. She admitted she had read Section 1142 of the Penal Code several years ago and had discussed it with Mrs. Sanger on several occasions.

At the close of the hearing, according to those present, Corporation Counsel Dolpfin stepped forward and warned none of the witnesses to leave the room. He then ordered the stenographer to read the official minutes of Mrs. Rublee's testimony, and after this had been done he conferred with Chief Inspector Lahey. It was then that the arrest was made.

Among those who were present at the hearing and later were spectators at the court proceeding were Robert McC. Marsh, Mrs. Anna Kennedy, Miss Mary Windsor, Mrs. Frances Ackerman, Mrs. L. L. Dolfield, Mrs. Ernest Ades, J. L. Slee, Albert D. Silver of the American Civil Liberties League and Joseph Dunn, publicity representative of the Birth Control League.

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Fifth Avenue at 56th and 57th Streets—

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Several Hundred  
Smart Separate Skirts at \$10—\$15  
Values \$25 to \$35

Of fine quality plaid and striped woolen fabrics, tweeds, velours, mixtures and novelty materials in plain or pleated effects.

Tailored and Fur-trimmed Suits  
at \$45—\$65—\$95  
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A wide selection of unusually smart effects for Town or Country wear—handsome materials and rich furs effectively combined.

Silk Knitted Sweaters  
at \$23—\$30  
Values \$40 to \$50

Featuring plain and fancy weaves, black, navy and brown, and high shades suitable for Southern Wear, also ideal for Holiday Gifts.

Suit Blouses at \$8.75—\$15  
Values from \$20 to \$40

Mostly dark shades of chiffon,orgette, crepe de chine and satin, many embroidered or beaded, others combined with lace.

Smart Mid-Season Hats at \$10—\$15  
Values \$25 to \$40

Of velvet, duvetyne and satin for street, sport, semi-dress or dressy occasions—a final regrouping of many desirable styles prior to removal.

## Christmas Gift Suggestions

Fashionable Hand Bags  
and Vanity Cases

Of velvet, faille, moire, brocades and imported leathers, with mountings of gold, sterling silver, enamel, hand carved Galateath and ivory—smartly fitted and richly lined.



at \$10—\$15—\$20—\$25—\$30—\$35—\$40  
Values \$25 to \$100

## Men's Winter Overcoats

\$34.75



A man who buys one of these coats never has to worry as to whether he could have bought a better coat for the same money. He knows he has obtained the very best overcoat value in town,—Macy's lowest-in-the-city price policy ensures it.

Usters, ulsterettes, town usters and box coats, tailored with exceptional attention to the details that make a coat keep its shape.

## Men's Fine Suits \$39.75

Every suit made for Macy's by America's foremost tailoring organization.

Styles which stamp the wearer wherever he may go as "from New York."

Suitings that are as remarkable for their sturdy wearing qualities as for their attractive patterns and shades.

Clothes of a quality for which other shops feel justified in asking more money.

Conservative and youthful models in a full range of sizes.

MADE—Fifth Floor, Broadway

## Men's Soft Hats \$2.89

The models that have found favor with well-dressed New Yorkers. Made with exceptional care from selected fur felt. In attractive pearl gray, nut and seal browns and black.

Only by dropping in and having the correct hat fitted can you really appreciate the advantage of this offer.

Caps at 94c

Silk-lined caps made from imported and domestic woolsens. Smart styles, well made.

MADE—Main Floor, 35th Street



## Men's Furnishings

Gifts That Men Really Appreciate  
And the Prices Are LOW

Shirts at \$2.29—Russian cords in the popular weaves—plain ribbed. Shirts of white madras show colored stripes and stripe combinations. Better shirts in every way than \$2.29 usually buys.

Blanket Robes at \$6.94—Robes in the popular and comfortable coat model. Made from warm blankets in man-likeable designs. Cord-trimmed and furnished with girdle to match.

Crocheted Silk Cravats at \$1.39—Our usual lowest-in-the-city price for these beautiful hand-framed all silk crocheted ties would be \$2.89. Only a hundred dozen to go at this low price. Smart stripes, heathers, plain shades and a good black.

MADE—Main Floor, 35th Street

## Ru-stella Phonographs

The Phonograph with the master made horn.

Louis XVI.  
Model at \$159.00

Macy's Former Price \$198.00

It is our honest opinion that this is the best phonograph that can be bought in New York to-day at less than \$225.00.

The Louis XVI. model is the most beautiful of the Ru-stella family. Its straight lines harmonize with either period or conventional furniture.

Finished in genuine mahogany with interior finished with the same smooth polish as the exterior. Stands 50 inches high, is 22 inches wide and 22 1/2 inches deep. Has the new improved sound box, velvet plush turn-table, master-made trumpet-violin shaped horn; triple spring motor that plays 45 minutes at one winding.

Exposed metal parts are all heavily gold plated. It is, indeed, a phonograph de luxe.

A two-year guarantee and the services without extra charge of one of our experts for the same period. Thirteen record albums are included with the instrument.

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## Men's New Austrian Real Angora Golf Jackets at Same Prices as 15 Years Ago!

The Prices of 1906  
For the Quality of 1921

\$18.00 \$20.00 \$22.00

Caps to Match: \$4.00 Scarfs: \$5.00 and \$6.50

IT is customary at this season of the year to talk ruefully of "the good old days." Every new generation does the same thing. But Angora Wool Golf Jackets weren't as good as these 15 years ago. We've improved the old quality and restored the old price. Nothing finer ever existed in golf jackets than those here presented for Christmas giving. Weigh nothing to speak of, but weigh much as a gift. Soft, sumptuous, serviceable, white as snow, or colorful as Fall foliage, whichever appeals. Great for golf, matchless for motoring, wonderful for walking, and gorgeous for giving.

**Franklin Simon & Co.**  
FIFTH AVENUE